



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MARCELLA DANIELS,)
)
)
 Plaintiff,)
)
)
 v.) No. 10 C 1806
)
)
FREEDMAN ANSELMO LINDBERG &)
RAPPE LLC, et al.,)
)
)
 Defendants.)

MEMORANDUM ORDER

This action, filed pro se by Marcella Daniels ("Daniels") under the claimed auspices of the Fair Debt Collection Practices Act and the Fair Credit Reporting Act, has been hanging fire for a full year without any progress at all. Daniels did not qualify for in forma pauperis treatment (and thus for the possible appointment of pro bono counsel) when she filed suit, and on her own she has floundered in the most basic respects--never having even obtained service of process on any of the three named defendants.

In an effort to get the lawsuit moving in at least some respect, this Court finally requested a representative of law firm Freedman Anselmo Lindberg & Rappe LLC (one of Daniels' targeted defendants) to come into court to report on the firm's involvement or lack of it. That resulted in the firm's being dismissed as a defendant on January 26, 2011, with Daniels being instructed at that time to obtain service on the other two defendants--Ford Motor Credit Company ("Ford Credit") and

National Recovery Center--or face dismissal of her lawsuit.

That did not work either, for at the February 14 status hearing Daniels handed up a purported proof of service on Ford Credit as of mid November that was totally unacceptable. In what no doubt reflects an excess of solicitude for a pro se litigant, this Court then suggested that Daniels refile the necessary documents to seek appointment of counsel.¹ Daniels has done so, reflecting her earlier reasonable (though unsuccessful) efforts to retain counsel on her own.

This Court has therefore obtained the name of this member of the trial bar, who is appointed to represent Daniels pro bono publico:

Mitchell Bruce Katten, Esq.
Katten & Temple LLP
542 South Dearborn Street, Suite 1060
Chicago IL 60605
(312) 663-0800

In addition to reviewing Daniels' self-prepared Complaint, the appointed counsel should promptly cause service of process to be completed as to the two remaining defendants (under the circumstances, this Court will not apply Fed. R. Civ. P. 4(m) but may perhaps take the delay in this action into account in

¹ At the time suit was filed, the combined income of Daniels and her husband was such that she could not qualify financially for in forma pauperis status. But her new filing reflects that the two have since separated, and Daniels' income alone places her well below the level that entitles her to potential relief.

determining its future progress). During the February 14 status hearing this Court established 9 a.m. April 13, 2011 as the next status date.

Milton I. Shadur

Milton I. Shadur
Senior United States District Judge

Date: February 15, 2011